

REMARKS

Favorable reconsideration and withdrawal of the rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claim Status

Claims 1 through 14 and 25 through 33 remain pending in the application. Claims 1, 2, 7 through 9, 14, 26, 28, and 33 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. Claims 1, 8, and 26 are the only independent claims present in the application.

Section 112 Rejection

Claims 1 through 14 and 25 through 33 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

In particular, the Official Action asserts that the recitation “at a contact nip” is not adequately supported by the specification as originally filed. Since Applicants do not believe that the recitation “at a contact nip” is necessary to patentably define the invention and in order to speed the application to issue, independent Claims 1, 8, and 26 have been amended to remove this recitation from the claims.

Specifically, it is noted that the current amendment to Claims 1, 8, and 26 removes the recitation “at a contact nip,” which was added to the claims during prosecution. The original claims simply recited that the “photosensitive member and the intermediate image-transfer element are brought into contact at a contact temperature ...,” and did not specify a

location at which these elements were brought into contact. It is respectfully submitted that the recitation “at a contact nip” (and “at a contact line” and “at a contact face” as that feature was recited in previous amendments) was added to the claims merely for ease of reference to the location of contact between the photosensitive member and the intermediate image-transfer element, but not to define the claimed invention over the art. Accordingly, it is respectfully submitted that the amendment to the claims overcomes the outstanding rejection and places the application in condition for allowance.

Dependent Claims

Dependent Claims 2, 9, and 28 have also been amended to accord with the claims from which they depend. Claims 2 through 7, 9 through 14, 25, and 27 through 33 depend either directly or indirectly from one of Claims 1, 8, and 26 and are allowable by virtue of their dependency and in their own right for further defining Applicants’ invention.

Individual consideration of the dependent claims is respectfully requested.

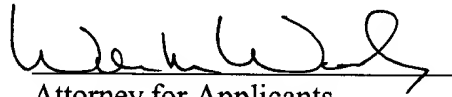
Closing Comments

This Amendment could not have been presented earlier in the prosecution, inasmuch as it was earnestly believed that the claims heretofore on file were in condition for allowance. It is believed that the Examiner’s familiarity with the present application will allow full consideration hereof without the expenditure of undue time and effort.

Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wannisky', written over a horizontal line.

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